

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK**

IN RE VITAMIN C ANTITRUST
LITIGATION

MASTER FILE 06-MD-1738 (BMC) (JO)

This Document Relates To All Indirect
Purchaser Actions:

*Audette v. Hebei Welcome
Pharmaceutical Co. Ltd., et al.*
Case No. 06-988

*Philion, et al. v. Hebei Welcome
Pharmaceutical Co. Ltd., et al.*
Case No. 06-987

*Keane, et al. v. Hebei Welcome
Pharmaceutical Co. Ltd., et al.*
Case No. 06-149

**INDIRECT PURCHASER PLAINTIFFS' NOTICE OF MOTION FOR
PRELIMINARY APPROVAL OF SETTLEMENT WITH DEFENDANTS WEISHENG
PHARMACEUTICAL CO., LTD. AND CSPC PHARMACEUTICAL GROUP LIMITED.
AND APPROVAL OF NOTICE PLAN AND FORM OF NOTICE**

PLEASE TAKE NOTICE THAT, upon the Declaration of R. Alexander Saveri in Support of Plaintiffs' Motion for Preliminary Approval of Settlement with Defendants Weisheng Pharmaceutical Co. Ltd. and CSPC Pharmaceutical Group Limited and Approval of Notice Plan and Form of Notice, and the Memorandum of Law in Support of Indirect Purchaser Plaintiffs' Motion for Preliminary Approval of Settlement with Defendants Weisheng Pharmaceutical Co. Ltd. and CSPC Pharmaceutical Group Limited and Approval of Notice Plan and Form of Notice, dated December 11, 2013, and all other papers and proceedings herein, Plaintiffs will move this Court on a date and time to be set by the Court, before the Honorable Brian M. Cogan, United States District Judge, at the United States Courthouse, 225 Cadman Plaza East, Brooklyn, New York, pursuant to Rule 23 of the Federal Rules of Civil Procedure, to enter an order to:

1. Preliminarily approve the Settlement Agreement and find that its terms are sufficiently fair, reasonable, and adequate for notice to be issued to the Settlement Class;
2. Certify the Settlement Class, for purposes of settlement only pursuant to Federal Rule of Civil Procedure 23(c), and authorize Indirect Purchaser Plaintiffs to represent the Settlement Class;
3. Approve the notice plan proposed by Indirect Purchaser Plaintiffs;
4. Order Settlement Class Counsel to disseminate notice to the Settlement Class;
5. Set a deadline for class members to exclude themselves from the Settlement Class;
6. Set a deadline for Settlement Class members to serve and file any objections to the Settlement, the request for attorneys' fees and litigation expenses, and the proposal for the distribution of the Settlement Class settlement funds;
7. Schedule a Fairness Hearing to (a) determine the fairness, reasonableness, and adequacy of the settlements, and whether each should be finally approved by the Court; (b) evaluate plaintiffs' request for attorneys' fees and litigation expenses; and (c) evaluate the proposal for the distribution of the Settlement Class settlement funds; and
8. Approve Kinsella Media as Notice Provider for the Settlement, Rust Consulting as Administrator of the Settlement, and Citibank as Escrow Agent.

Oral argument on this motion, if any, will be held on a date and time set by the Court.

Dated: December 13, 2013

Respectfully submitted,

/s/ Daniel C. Hedlund

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